GOVERNMENT OF ANDHRA PRADESH
ABSTARCT

Rules and Regulations - Amaravati Land Allotment Rules, 2017 – Notification - Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (CRDA.2) DEPARTMENT

G.O.MS.No. 228 **Dated: 15-06-2017**
Read:

From the Commissioner, APCRDA letter Rc.No.CRDA- 14024(34)/54/2016-MANAGER3-ECNMCDEV- APCRDA- Part(1), Dt:03.02.2017

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ORDER:

The Andhra Pradesh Reorganization Act 2014 (Central Act No. 6 of 2014), which came into force on 2nd June, 2014 provided for the reorganization of the existing state of Andhra Pradesh. One of the most critical priorities for the new state is the formation of the new Capital City, which is very important from the perspective of economic Development, Cultural integrity and Administrative functioning.

2. Government have enacted the Andhra Pradesh Capital Region Development Authority Act, 2014 to provide for the overall development and setting up of Capital Region Area and to constitute an authority for the purpose. Now, the Government have decided to prescribe the Amaravati Land Allotment Rules under the said Act, 2014.

3. A copy of this order is available in the internet and can be accessed at the address http://goir.ap.gov.in/.

4. Accordingly, the appended notification will be published in an extra-ordinary issue of Andhra Pradesh Gazette, dated:15.06.2017.

5. The Commissioner, Printing, Stationary Stores Purchase (Ptg. Wing) Dept., Vijayawada is requested to publish the said rules by notification and furnish 500 copies of the notification to the Government.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
PRINCIPAL SECRETARY TO GOVERNMENT(CRDA)

To
The Commissioner, Printing, Stationery & Stores Purchase, AP, Vijayawada (Printing wing Dept., AP, Vijayawada is requested to furnish 500 copies to Government and 500 copies to the Commissioner, APCRDA, Vijayawada)
The Commissioner, Capital Region Development Authority, Vijayawada.
The District Collector, Krishna District,
The District Collector, Guntur District,
The Commissioner, Guntur Municipal Corporation, Guntur,
The Commissioner, Vijayawada Municipal Corporation, Vijayawada,
The Commissioner & Director of Municipal Administration, A.P. Hyderabad.

Contd..2

The Director of Town & Country Planning, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The Managing Director and Vice-Chairman of Andhra Pradesh Industrial Infrastructure Corporation (APIIC)
The Vice-Chairman and Managing Director of Andhra Pradesh State Road Transport Corporation (APSRTC);
The Vice-Chairman and Housing Commissioner of Andhra Pradesh Housing Board (APHB);
The Chairman and Managing Director, APSPDCL;
The Vice-Chairman & Managing Director, Infrastructure Corporation of AP Ltd;
The Commissioner, Panchayat Raj Department
Engineer-in-Chief, Public Health Engineering Department
All the Municipalities/ Nagar Panchayats in Capital Region through Commissioner & Director of Municipal Administration.

Copy to

The PS to Hon'ble Chief Minister
The PS to Hon'ble Minister for MA&UD
The PS to Hon'ble Minister for Finance
The PS to Chief Secretary
The PS to Principal Secretary to Government, Revenue Department
The PS to Principal Secretary to Government, MA&UD Dept.,
The PS to Principal Secretary to Government Industries & Commerce Dept.,
The PS to Principal Secretary to Government, TR&B Dept.,
The PS to Principal Secretary to Government Finance Department;
The PS to Principal Secretary to Government EFS&T Department;
The PS to Principal Secretary to Government Housing Department;
The PS to Principal Secretary to Government I&I Department;
The PS to Principal Secretary to Government Panchayat Raj Department;
The PS to Principal Secretary to Government Energy Department;
All the Departments in AP Secretariat, Velagapudi, Amaravati.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

NOTIFICATION

In exercise of the powers conferred by section 18 read with section 130 of the Andhra Pradesh capital region Development Authority Act, 2014 (Act No. 11 of 2014) the Government of Andhra Pradesh hereby make the following Rules, namely Amaravati Land Allotment Rules, 2016.

RULES

Objective: The Government of Andhra Pradesh pursuant to the enactment of Andhra Pradesh Capital Region Development Authority Act, 2014 (Act No.11 of 2014) has notified the Andhra Pradesh Capital Region and Andhra Pradesh Capital City. The Government has also named the capital city as "Amaravati". Some lands within the notified Andhra Pradesh Capital Region have been acquired by, vested in or are belonging to the Andhra Pradesh Capital Region Development Authority (APCRDA). These Rules under sub-section (1) of section 18 and section 130 of the Andhra Pradesh Capital Region Development

Authority Act, 2014, are framed with the objective of enabling the APCRDA to use and/or allot these lands for the purpose of development of the capital city of Amaravati. These Rules closely relate to the integrated development of the capital city and accordingly provide for allotment of land for various purposes identified in the Master Plan.

1. Short Title, Extent and Commencement

1.1. These Rules may be called the Amaravati Land Allotment Rules, 2017.

1.2. These Rules shall apply to the lands acquired by, vested in, or belonging to the Andhra Pradesh Capital Region Development Authority within the Amaravati Capital Region Area.

2. Definitions

1. In these rules , unless the contest otherwise regarding,-

(a) **Act** means Andhra Pradesh Capital Region Development Authority Act, 2014.

(b) **Allottee** means an individual or person including a group of individuals under Indian Partnership Act, 1932 or Limited Liability Partnership Act, 2008 or a Hindu Undivided Family, or an Institution registered under the Societies Registration Act of 1860 or the Andhra Pradesh Societies Registration Act, 2001, or a body corporate incorporated under the Companies Act, 1956 or under the Companies Act, 2013 or under any Act of Indian Law, established for the purpose of service/business/industrial activity to whom any land is allotted by any of the methods stipulated in the rules by the Authority.

(C) **Allotment Price** means the land value arrived at as a result of a specified selection method of allotment or as a percentage of Base Price for the purpose of final allotment to the Allottee.

(d) **Applicant** means an individual or person including a group of individuals under Indian Partnership Act, 1932 or Limited Liability Partnership Act, 2008 or Hindu Undivided Family, or an institution registered under the Societies Registration Act of 1860, or the Andhra Pradesh Societies Registration Act, 2001, or a body incorporated under the Companies Act, 1956 or under the Companies Act, 2013 or under any Act, who is eligible to and has made an application in the prescribed format for allotment of land.

(e) **Authority** means the Authority defined under the Andhra Pradesh Capital Region Development Authority Act, 2014.

(f) **Amravati Capital City Area** shall mean the Capital City Area as defined under section 2(6) of the Act.

(g) **Intending Lessee** means an Applicant who is intending to enter in to an agreement of lease with the Authority for the purposes mentioned by the Authority along with the fulfillment of such terms and conditions that may be imposed by the Authority from time in connection with that purpose.

(h) Intending Buyer means an Applicant who is intending to enter in to an agreement of sale with the Authority for the purposes mentioned by the Authority along with the fulfillment of such terms and conditions that may be imposed by the Authority from time in connection with that purpose.

(i) Land means the land or any parcel thereof which is acquired by, vested in, or belonging to the Authority and depending on the context also means the land allotted under these Rules.

(j) Lease, Lessor, Lessee have the meanings assigned to them under section 105 of the Transfer of Property Act, 1882.

(k) Plot means land or part of land set apart for development and/or forming part of the sanctioned or draft development plan or a scheme prepared by the Authority and includes the construction there on.

(l) Base Price means the value of the Land arrived at by the Authority and as declared by the Authority from time to time.

(m) Reserve Price means the land value fixed as percentage of Base Price for different land use types and locations.

(n) Process Fee means a non-refundable fee, which shall be payable by each applicant at the time of filing the application for allotment of land or obtaining any approvals thereon, as decided by the Authority from time to time.

(o) Tier 1 Infrastructure means the urban infrastructure required at the city level for the purpose of enabling further development of large extents of land within the city and includes infrastructure such as flood protection/management works, access roads, city expressways, arterial roads, water supply mains, water treatment plants, waste water treatment plants, big electric sub-stations, mass rapid transit and so on.

(p) Tier 2 Infrastructure means the urban infrastructure required within a medium to large land parcel capable of being further sub-divided, in order to enable building construction, development and occupation and includes infrastructure such as collector roads, street roads, water distribution lines, sewerage pumping stations, smaller electric sub-stations and so on.

2. All other capitalized terms and expressions used and not defined in the Rules have the meanings assigned to them in the Act.

Interpretation

In these Rules, Regulations and Standing Orders, the use of the present tense includes the future tense, the masculine gender includes the feminine and the neutral gender, the singular includes the plural and the plural includes the singular. The word 'Person' includes a Corporation, Council, Authority, Body, Organization, Institution, etc. as an individual. Writing includes printing and typing and 'Signature' includes thumb impression made by a person who cannot write if his name is written near to or just above such thumb impression.

3. Objectives of Land Allotment

Authority shall be guided by the objectives of revenue maximization; economic development; social development; and the infrastructure development or any combination of these, while allotting the Land.

4. Pricing

4.1. **Base Price:** The Authority shall declare a Base Price for the land or for any part thereof from time to time.

4.1.1. Base price shall include all the costs incurred or to be incurred by the Authority in procuring and developing the land including cost of developing infrastructure on the returnable land. These costs are including but not limited to the provision of the Tier 1 Infrastructure, Tier 2 Infrastructure, the financing costs etc. and shall be determined in the manner provided in the Regulations and/or Standing Orders made by the Authority in this regard.

4.2. **Reserve Price:** The Authority shall declare from time to time the Reserve Price of land or part thereof for various types of usage of the land in the manner prescribed in the Regulations and/or Standing Orders in this regard.

5. Method of Allotment

5.1. **Selection Method:** The Authority taking cognizance of the factors such as category of the Allottee, objective of allotment, land use, the socio-economic outcomes of the allotment and so on shall allot the land by any of the following methods:

5.1.1. Nomination including by suo moto application by applicant.
5.1.2. Quality Based Selection.
5.1.3. Quality cum Price based Selection.
5.1.4. Public Tender including e-Tendering.
5.1.5. Public Auction including e-Auction.
5.1.6. Randomized Selections (such as draw of lots).

Provided that Authority may with the prior approval of the Government allot land in any other manner in furtherance of the objectives of these Rules and/or the Act.

5.2. The Authority shall by framing appropriate Regulations and/or Standing Orders establish the detailed procedure regarding each of the above methods of allotment of land.

5.3. **Committees:** The Authority may constitute committees as provided under sub-section (1) of section 8 of the Andhra Pradesh Capital Region Development Authority Act and through Regulations made in this regard to advise it on the method of allotment to be adopted and the price to be charged. In the event of any conflict, the provisions under sub-section (1) of section 8 of the Act shall prevail over the Regulations made thereto.

5.4. **Public Notice:** Lands to be allotted by any of the methods mentioned in sub rule 5.1 above, except by the method of 'On Application and/or by Nomination' shall be so allotted by preparing

market brief/ marketing brochure and by giving a Public Notice as prescribed under the Act, about the land including its description, area, usage, Reserve Price, earnest money deposit, crucial dates, milestones or any other details that seems necessary or appropriate under the Act. Also such details of the land shall be made available to the general public on the website of the Authority.

5.5. **Decision Making:** The applications received for allotment of the Land shall be approved at the relevant level after scrutiny of such applications as specified in the Regulations and/or Standing Orders from time to time. The detailed procedure regarding the approval process shall be outlined in the Regulations and/or Standing Orders prescribed by the Authority from time to time.

5.6. Land shall be allotted with base Floor space index as determined by the Authority.

6. Arrangement and Payment Terms

6.1. **Arrangement:** The Authority shall allot the land on leasehold basis for up to 99 years or on freehold basis. The Authority shall frame Regulations with prior approval of the Government, describing the terms and conditions of Lease and/or Freehold mentioned in the Agreement to Lease/Lease Deed/Agreement to Sale/Sale Deed.

6.2. **Payment:** The Allottee shall pay to the Authority the Lease Premium or Lease Rental or Sale Price of the land, as the case may be, in the time period and in the manner provided in the Regulations and/or Standing Orders from time to time.

7. Termination: Any failure of Lessee or Buyer to pay the Lease Premium or Lease Rental or the Sale Price as agreed under the Agreement to Lease or Agreement for Sale shall be a breach of such respective Agreement and the Authority shall be entitled to terminate and resume the Land allotted by the Authority in accordance with the procedure set out in the Regulations and/or Standing Orders in this regard. Demarcation of Plots / Lands

7.1. **Demarcation of Plots / Lands :** The Authority before commencing the process of allotment shall demarcate the Plots / Lands to be allotted through the appropriate cadastral survey system and identify them by assigning a unique number.

7.2. After the execution of the Agreement to Lease/Agreement for Sale or on a specific order of the Authority, the allotted Plot shall be demarcated, subject to a variance of 10% or 500 square meters of the allotted extent, before handing over to the Allottee.

7.3. **Variation in demarcated plot:** If due to any reasons, the final area of the demarcated Plot varies by up to 10% or 500 square

metres of the area allotted, then the same shall be dealt as follows:

7.3.1. If the area is in excess of the above mentioned limits, the same shall be given to the Allottee on similar terms and conditions as applicable to the main Plot; and

7.3.2. If the area is less than the above mentioned limits, then the Allottee shall be entitled to receive back from the Authority the proportionate amount of the price of the Plot as paid by the Allottee.

8. Implementation And Monitoring

8.1. **Implementation Period:** The Allottee shall develop the Land allotted to it including achievement of milestones or phase-wise development, if any, within the stipulated time period/s mentioned in the Agreement to Lease or Agreement for Sale or sale deed, as the case may be.

8.2. Any extension in the implementation period may be granted by charging additional premium in the manner determined by the Authority from time to time.

8.3. Additional Floor space Index, if any, is allowable under the relevant Development Control/Zoning Regulations or any other Regulations framed by the Authority in this regard shall also be allowed by the Authority, upon an application made by the Allottee in writing to the Authority, at such additional Lease Premium/charges to be determined by the Authority and payable by the Allottee in accordance with the Regulations framed thereto from time to time.

8.4. **Transfer:** The Allottee shall not sell, assign, mortgage, sublet or underlet, or otherwise transfer fully or in part, the Plot or his interests therein or transfer his possession of the Plot / Land, to any Person during the subsistence of Agreement to Lease/Agreement for Sale / Sale deed. However, in case of Leasehold, the Lessee is entitled to sublease or assign its leasehold interest upon obtaining prior consent in writing from the Authority and upon compliance of the following conditions to the satisfaction of the Authority:

8.4.1. Allottee shall pay to the Authority the Transfer Charges, as may be determined by the Authority from time to time.

8.4.2. Allottee shall ensure that the transferee executes the necessary documentation including but not limited to a Deed of Adherence undertaking to perform all the obligations under the Lease Deed including the covenant for utilization of Land solely for the purpose for which it is allotted by the Authority to the original Allottee. However, such sub lease or assignment shall not absolve the original Allottee from its obligations under the Agreement to Lease/Lease Deed and it shall always be directly responsible for the performance of obligations under Lease to the Authority.

8.4.3. The transferee shall meet the eligibility criteria set out by the Authority for the original allotment i.e., at least have the same qualifications as prescribed by the Authority vis-à-vis the original Allottee.

Provided that the Authority may in case of lands demised by Agreement to Lease for certain purposes, prohibit the transfer under this rule.

Provided further that with the permission of the Authority in writing, the Allottee may mortgage the Plot to:

8.4.4. Central or State Government.

8.4.5. Nationalized Banks.

8.4.6. Financial Institutions duly notified by the Authority from time to time.

Subject to the primary condition that the finance / loan amount received under such mortgage shall be applied only towards the development of the Plot. The Authority may prescribe such other conditions for mortgage of Plot by the Allottee under the Regulations issued from time to time.

8.5. **Non-compliance:** Any non-compliance with the terms and conditions of the Agreement to Lease / Agreement for Sale / Sale deed shall be a breach of such respective Agreement and the Authority shall be entitled to terminate and resume the Land allotted by the Authority in accordance with the procedure set out in the Regulations in this regard.

9. Miscellaneous

9.1. **Temporary Occupation:** The Commissioner may give permission for temporary occupation of the Land for a period not exceeding three months for holding circus, fair, exhibition, artistic and spiritual performances, meetings or congregations to which public or groups of public are permitted to enter free of cost or at nominal cost, on payment of fee or charges as may be determined by the Commissioner from time to time.

9.1.1. Commissioner shall also prescribe terms and conditions pertaining to the permissions such as No Objection Certificate (NOC) to be given by civic authorities such as Police, Fire department, etc for the purposes mentioned in Rule 9.1.

9.2. **Leave and License basis:** Land may also be provided to the Allottees on leave and license basis for a period not exceeding eleven (11) years on such terms and conditions as may be decided by the Authority from time to time.

9.3. **Delegation of Powers:** The Authority and the Commissioner may delegate the powers vested in it or him as the case be, to any other Officer of the Authority.

9.4. The Authority with the prior approval of the Government, or on direction of the Government may relax any or all of these Rules in

special cases, if such relaxation is in furtherance of the objectives of these Rules and/or the Act.

AJAY JAIN
PRINCIIPAL SECREATARY TO GOVERNMENT(CRDA)

SECTION OFFICER